

Amendment No. 1 to SB1192

**Kilby
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1192

House Bill No. 1063*

by designating the existing language in § 68-221-1307 in SECTION 1 of the bill as subsection

(a) and by adding the following language to be designated as subsections (b) and (c):

(b) The commissioners, all appointed officers, and all personnel employed by the board of commissioners of any water and wastewater authority under this chapter, are prohibited from receiving any money or other goods or services of value of any sort as a result of any agreement, contractual or otherwise, for the installation of water and wastewater service within the bounds of the district; and further, such persons are also prohibited from receiving any moneys or other goods or services of value of any sort as a result of any agreement, contractual or otherwise, for the sale of any materials to be installed within the bounds of the district as water and wastewater service.

(c) Authorities shall provide information requested for the county growth plan to the county or counties in which they provide service. The plans, services, and projects of an authority shall be consistent with the relevant county growth plan.

AND FURTHER AMEND by deleting subdivision (5) in its entirety in § 68-221-1305(e) in SECTION 1 of the bill and by substituting instead the following language:

(5) An authority shall be subject to the jurisdiction of the water and wastewater financing board in accordance with this chapter.

AND FURTHER AMEND by adding the word “contiguous” after the first word “Any” in § 68-221-1304(a) in SECTION 1 of the bill.

AND FURTHER AMEND by adding the following as a new, appropriately designated section in SECTION 1 of the bill:

§ 68-221-13___. The national policy in favor of competition shall ensure a policy of competitive bidding for all authorities. An authority shall be subject to the applicable purchasing laws of the creating governmental entity or if two (2) or more creating governmental entities form

a water & wastewater treatment authority than an authority shall be subject to the county purchasing law of 1981.

AND FURTHER AMEND by deleting subdivision (2) in § 68-221-1308(c) in SECTION 1 of the bill and by substituting instead the following language:

(2)

(A) The board may enter into contracts with any utility district or municipality providing sewer services within the jurisdiction, or with any municipal utilities board or commission operating a water system within the jurisdiction of the authority, for the collection of sewer charges; and the authority, or any public corporation, utility district or municipal utilities board or commission so contracting with the authority or contracting directly with any public or private corporation providing sewer services within the jurisdiction, is authorized and empowered:

(i) To meter, bill and collect sewer service charges as an added designated item on its water service bills, or otherwise;

(ii) To discontinue water service to sewer users who fail or refuse to pay sewer service charges;

(iii) Not to accept payment of water service charges from any customer without receiving at the same time payment of any sewer service charges owed by such customer; and

(iv) Not to reestablish water service for any customer until such time as all past due sewer service charges owed by such customer have been paid.

(B) Such utility district or municipal utilities board or commission is authorized to perform all acts and discharge all obligations required by the provisions of any such contract or contracts.